

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
James Robert Adair, Jr. et al.) Confirmation No.: **6585**
Serial No. **09/954,443**) Group Art Unit: **3721**
Filed: **September 17, 2001**) Examiner: **Thanh K. Truong**
For: **Heat Seal Die and System and Method**)
For Portion Control Sized Packaging)

APPLICATION FOR PATENT TERM ADJUSTMENT RECONSIDERATION

Office of Patent Legal Administration
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sirs:

Applicants request reconsideration of the Patent Term Adjustment announced in the Notice of Allowance mailed October 26, 2006. In compliance with its duty of candor under 37 CFR 1.56, the Applicants hereby notifies the Patent Office of a possible discrepancy and asks for a prompt ruling. As the error appears to be one that occurred at the Patent Office through no fault of the applicant, it is not believed that the \$200.00 fee under 37 CFR 1.18(e) should be required for adjustment of the patent term. However, in the event any fee is required for the reconsideration of the patent term adjustment such fees are hereby authorized to be charged to Deposit Account No. 19-5029.

According to the Patent Term Adjustment under 35 U.S.C. 154 (b) accompanying the Notice of Allowance, the Office has determined the Patent Term Adjustment to be 345 days.

Application for Patent Term Adjustment Reconsideration

Serial No.: 09/954,443

Filed: September 17, 2001

Title: Heat Seal Die and System and Method For Portion
Control Sized Packaging

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Applicant calculates that the correct Patent Term Adjustment is 344 days. The Office's Patent Term Adjustment history on the Patent Application Information Retrieval System (PAIR)

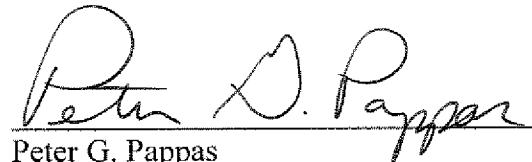
indicates that the date of the Final Decision by the Board of Patent Appeals and Interferences was August 24, 2006. However, the date stamped on the Final Decision was August 23, 2006. This 1 day adjustment changes the Patent Term Adjustment from 345 days to 344 days.

In compliance with its duty of candor under 37 CFR 1.56, Applicants hereby notify the Office of this possible discrepancy and ask for a prompt ruling.

If there are any issues which can be resolved by a telephone conference, the Office is invited to call the undersigned attorney at (404) 853-8064.

The foregoing is submitted as a full and complete Request for Reconsideration of Patent Term Adjustment under 37 CFR 1.705 (b).

Respectfully submitted,



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Date: December 21, 2006
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Attorney Docket No.: 17244-0129